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<b>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)</b>		Docket Number (Optional)  MS1 - 1715US
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First named inventor: James H. Hogg

Application No.: 10/706,684

Art Unit: 2127

Filed: 11/12/2003

Examiner: John Q Chavis

Title: Strategy for Referencing Code Resources

Attention: Office of Petitions  
**Mail Stop Petition**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450  
 FAX (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

#### APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.  
 Other than small entity - fee \$ 1,500.00 (37 CFR 1.17(m))

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action in the form of Response to Non Final Office Action dated 10/18/2006 (identify type of reply):

- has been filed previously on \_\_\_\_\_  
 is enclosed herewith.

- B. The issue fee and publication fee (if applicable) of \$ \_\_\_\_\_  
 has been paid previously on \_\_\_\_\_  
 is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## 3. Terminal disclaimer with disclaimer fee

- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

## 4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Signature

5-15-2007

Date

Shirley L. Anderson

Typed or printed name

57763

Registration Number, if applicable

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Address

(509) 324-9256

Telephone Number

Spokane WA 99201

Address

Enclosures:  Fee Payment Reply Terminal Disclaimer Form Additional sheets containing statements establishing unintentional delay Other: \_\_\_\_\_

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.

\_\_\_\_\_  
Date

FILED EFS WEB

\_\_\_\_\_  
Signature\_\_\_\_\_  
Typed or printed name of person signing certificate

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No..... 10/706,684  
Filing Date..... 11/12/2003  
Confirmation No. .... 7006  
Inventorship..... James H. Hogg  
Applicant .. Microsoft Corporation  
Group Art Unit..... 2127  
Examiner ..... John Q. Chavis  
Attorney's Docket No. .... MS1-1715US  
Title: ..... Strategy for Referencing Code Resources

**PETITION TO REVIVE APPLICATION FROM UNINTENTIONAL ABANDONMENT**

**UNDER 37 CFR § 1.137(b)**

To: Attention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

From: Shirley Lee Anderson (Tel. 509-324-9256 ext. 258; Fax 509-323-8979)  
Lee & Hayes, PLLC  
421 W. Riverside Ave., Suite 500  
Spokane, WA 99201

Sir:

Pursuant to 37 C.F.R. § 1.137(b), Applicant petitions the Office to revive the subject application from unintentional abandonment under 37 C.F.R. § 1.137(b).

Applicant seeks to revive the subject application from unintentional abandonment under 37 C.F.R. §1.137(b). Applicant in good faith, believes a response to the Office Action dated October 18, 2006 had been filed on January 18, 2007. Applicant even sent an electronic copy to Examiner Chavis on April 30, 2007, when he called inquiring about the status of this application.

Applicant includes a response to the non-final Action mailed by the Office on October 18, 2006. Also, Applicant includes the petition fee set forth in § 1.17(m). The entire delay from October 18, 2006 until the filing of this petition to revive was unintentional. Applicant does not believe a terminal disclaimer is required with this petition.

Applicant respectfully requests favorable action on this petition at the earliest convenience of the Office.

Respectfully Submitted,

Lee & Hayes, PLLC  
421 W. Riverside Avenue, Suite 500  
Spokane, WA 99201

Dated: 5-15-2007

By: Shirley Lee Anderson  
Shirley Lee Anderson  
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